

In Re Patent Application

PATENT

GKS 101.0

7911/83687

SLN/js

Jürgen MARKL-Grünecker Kinkeldey

NUCLEIC ACID MOLECULE COMPRISING A NUCLEIC ACID SEQUENCE

CODING FOR A HAEMOCYANIN

International Application No: PCT/EP00/02410

International Filing Date: March 17, 2000

July 3, 2002

Communication Letter (2 pages); Notification of Missing Requirements Under 35 U.S.C. 371 In The United States Designated/Elected Office (DO/EU/US) (2 pages); Declaration and Power of Attorney (3 pages) Check in the amount of \$130.00, and this postcard.

Commissioner for Patents

Sir:

Please acknowledge receipt of the above-identified documents by applying the Patent and Trademark Office receipt hereto and mailing this card.

Respectfully submitted,
WFI SH & KAT7 1 TN

San

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Jürgen MARKL-) PATENT
Grünecker Kinkeldey)
U.S. Serial No.: 09/936,852) Attorney Docket
Corresponding to PCT/EP00/02410) GKS 101.0
Filed: September 17, 2001) (7911/83687)
For: NUCLEIC ACID MOLECULE COMPRIS-)
ING A NUCLEIC ACID SEQUENCE)
CODING FOR A HAEMOCYANIN)
Examiner: Not yet assigned)

COMMUNICATION

Commissioner for Patents
Box PCT
Washington, D.C. 20231

Sir:

In response to the Notice of Missing Requirements under 35 U.S.C. 371 in the United States Designated/Elected Office, dated May 7, 2002 (copy attached), enclosed are Declaration and Power of Attorney documents executed by the applicants of the above-identified application.


Enclosed is Check No. 075516 in the amount of \$130.00 to cover the surcharge for providing the Oath and Declaration set forth in 37 C.F.R. 1.492(e)

No further fee or petition is believed to be necessary in addition to those that are enclosed. Should any fee be needed, please charge our Deposit

Serial No.: 09/936,852 -2-
Corresponding to PCT/EP00/02410

Account No. 23-0920, and deem this paper to be the
required petition.

Respectfully submitted,

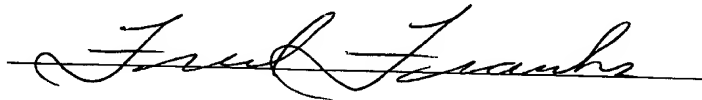
By 
Shannon L. Nebolsky, Reg. No. 41,217

WELSH & KATZ, LTD.
120 South Riverside Plaza, 22nd Floor
Chicago, Illinois 60606
Phone (312) 655-1500
Fax No. (312) 655-1501

Enclosures
Notice of Missing Requirements
Executed Declaration and Power of Attorney documents
Surcharge

CERTIFICATE OF MAILING BY EXPRESS MAIL

I hereby certify that this Communication,
in duplicate, the Notice of Missing Requirements, an
executed Declaration and Power of Attorney, and
surcharge are being deposited with the United States
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20231, on July 3, 2002.



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				\$130.00	

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(REV. 12-2001)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371

7911-83687 GKS-1 1.0

U.S. APPLICATION NO. (If known, see 37 CFR 1.5)

09/936,852

INTERNATIONAL APPLICATION NO.

PCT/EP00/02410

INTERNATIONAL FILING DATE

March 17, 2000

PRIORITY DATE CLAIMED

March 17, 1999

TITLE OF INVENTION

Nucleic Acid Molecule Comprising a Nucleic Acid Sequence Coding
for a Haemocyanin

APPLICANT(S) FOR DO/EO/US

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. ☐ This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☒ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☒ This is an express request to begin national examination procedures (35 U.S.C. 371(f)). The submission must include items (5), (6), (9) and (21) indicated below.
4. ☐ The US has been elected by the expiration of 19 months from the priority date (Article 31).
5. ☐ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ has been communicated by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☐ An English language translation of the International Application as filed (35 U.S.C. 371(c)(2)).
 - a. ☐ is attached hereto.
 - b. ☐ has been previously submitted under 35 U.S.C. 154(d)(4).
7. ☐ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are attached hereto (required only if not communicated by the International Bureau).
 - b. ☐ have been communicated by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☐ have not been made and will not be made.
8. ☐ An English language translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)).
10. ☐ An English language translation of the annexes of the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11 to 20 below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 CFR 1.97 and 1.98.
12. ☐ An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.
13. ☐ A **FIRST** preliminary amendment.
14. ☐ A **SECOND** or **SUBSEQUENT** preliminary amendment.
15. ☐ A substitute specification.
16. ☐ A change of power of attorney and/or address letter.
17. ☐ A computer-readable form of the sequence listing in accordance with PCT Rule 13ter.2 and 35 U.S.C. 1.821 - 1.825.
18. ☐ A second copy of the published international application under 35 U.S.C. 154(d)(4).
19. ☐ A second copy of the English language translation of the international application under 35 U.S.C. 154(d)(4).
20. ☐ Other items or information:

21. ☒ The following fees are submitted:**BASIC NATIONAL FEE** (37 CFR 1.492 (a) (1) - (5)):

Neither international preliminary examination fee (37 CFR 1.482)
nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO
and International Search Report not prepared by the EPO or JPO..... **\$1040.00**

International preliminary examination fee (37 CFR 1.482) not paid to
USPTO but International Search Report prepared by the EPO or JPO **\$890.00**

International preliminary examination fee (37 CFR 1.482) not paid to USPTO
but international search fee (37 CFR 1.445(a)(2)) paid to USPTO **\$740.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
but all claims did not satisfy provisions of PCT Article 33(1)-(4) **\$710.00**

International preliminary examination fee (37 CFR 1.482) paid to USPTO
and all claims satisfied provisions of PCT Article 33(1)-(4) **\$100.00**

ENTER APPROPRIATE BASIC FEE AMOUNT =**CALCULATIONS PTO USE ONLY**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☒ 30
months from the earliest claimed priority date (37 CFR 1.492(e)).

\$ **130.00**

CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE	\$
Total claims	- 20 =		x \$18.00	\$
Independent claims	- 3 =		x \$84.00	\$
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+ \$280.00	\$

TOTAL OF ABOVE CALCULATIONS =

☐ Applicant claims small entity status. See 37 CFR 1.27. The fees indicated above
are reduced by 1/2. +

SUBTOTAL =

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30
months from the earliest claimed priority date (37 CFR 1.492(f)).

TOTAL NATIONAL FEE =

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be
accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). **\$40.00** per property +

TOTAL FEES ENCLOSED =\$ **130.00**

/12/2002 GREY1 00000032 09936852

FC: 54

130.00 OP

Amount to be
refunded: \$

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- a. ☒ A check in the amount of \$ **130.00** to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$ _____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☒ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any
overpayment to Deposit Account No. **23-0920**. A duplicate copy of this sheet is enclosed.
- d. ☐ Fees are to be charged to a credit card. **WARNING:** Information on this form may become public. Credit card
information should not be included on this form. Provide credit card information and authorization on PTO-2038.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR
1.137 (a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

SIGNATURE

SHANNON L. NEBOLSKY

NAME

41,217

REGISTRATION NUMBER